

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:15-cv-457-RJC**

**In re:**

**MIDSTATE MILLS, INC.,**

**Debtor.**

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**CARL MARKS ADVISORY GROUP and  
JEFF KIES,**

**Appellants,**

**v.**

**AGROWSTAR, LLC, J&D OF  
LANCASTER, INC., and  
PERFORMANCE AG, LLC,**

**Appellees.**

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**ORDER**

**THIS MATTER** comes before the Court on Appellants Carl Marks Advisory Group and Jeff Kies's and Appellees Agrowstar, LLC, J&D of Lancaster, Inc., and Performance Ag, LLC's Agreed Motion to Dismiss Appeal. (Doc. No. 3). For good cause shown, and with the consent of all parties, the Court finds that the Motion should be granted.

**IT IS, THEREFORE, ORDERED** that the Agreed Motion to Dismiss Appeal, (Doc. No. 3), is **GRANTED**. This matter is **DISMISSED**, and all applicable costs and fees will be taxed against the party that incurred them. The Clerk of Court is hereby directed to close this case.

Signed: January 5, 2016



Robert J. Conrad, Jr.  
United States District Judge

